

**CITY OF BROKEN ARROW
MINUTES OF
BOARD OF ADJUSTMENT
REGULAR MEETING
July 14, 2014, 5:00 p.m.**

1. The Board of Adjustment Agenda for this meeting was posted June 20, 2014, at 10:32 a.m., on the City Hall Bulletin Board, 220 South First Street, Broken Arrow. The Broken Arrow Board of Adjustment met in a regular meeting in the City Council Chambers at City Hall on Monday, July 14, 2014, at 5:00 p.m.

2. Present: Archer Honea, Chairperson
Ralph Crotchett, Vice Chairperson
Dick Baze, Member
Stanley Evetts, Member
Randy Cherry, Member

Absent: None

Staff Present: Lesli Myers, Assistant City Attorney
Farhad Daroga, City Planner
Brent Murphy, Assistant City Planner
Debra Limon, Administrative Assistant
Russell Gray, One Stop Manager

3. The Board considered the minutes of the regular Board of Adjustment meeting held June 9, 2014.

Motion by Dick Baze to approve the minutes of the meeting held June 9, 2014. The motion was seconded by Stan Evetts.

Yes: Cherry, Evetts, Baze, Crotchett

Abstain: Honea

No: None

Motion approved

4. The Board considered BOA 710, 0.39 acres, 1 lot, RS-3; request to reduce the minimum front building setback line from 25 feet to approximately 22 feet, one-quarter mile west of 23rd Street, one-half mile north of Kenosha Street at 2020 E. Queens Street.

Brent Murphy presented the background saying BOA 710 involves a request for a variance to reduce the front building setback line from 25 feet to 22 feet, on a recently constructed single family residence, in the Stonebridge Park subdivision. He said the property is zoned RS3 and is located on a curvilinear line.

Mr. Murphy said the RS3 district requires buildings to setback 25 feet from the street right-of-way but a recent survey shows a portion of the building to be located 22 feet from the street right-of-way line, 3 feet into the building setback line. The right-of-way line is a curvilinear line, and only a portion of the building encroaches into the building setback line.

Mr. Murphy said for a variance to be granted, all six conditions must be met and in Staff's opinion, the

request for a variance to reduce the front building setback line from 25 feet to 22 feet for the existing building meets the six conditions for the Board to grant a variance. Therefore, Staff recommends that BOA 710 be approved for the existing building encroachment and any future expansions or additions shall be in accordance with the Zoning Ordinance.

Archer Honea asked if the applicant was present.

Raul Gonzales, RG Lane Homes LLC, 10733 E 96th E. Place, Bixby, OK, said he is in agreement with staff recommendations. He said the building was shifted to better fit on the property but the concrete subcontractor actually built it over the building line in error. The bank surveyed the property and advised it was too close to the front property line. The house is now completed and the property owners are currently living in the residence.

Archer Honea asked if the setback inspection was done before or after the concrete pour. Mr. Gonzales said the inspection was completed prior to the pour. Mr. Honea expressed concern and inquired if the same inspector did this inspection as well as the inspection on last month's case. He felt these errors were costing both time and money.

Randy Cherry expressed concern the builder was attempting to put too large of a house on too small a lot, but he agreed the inspector should have caught the error.

Archer Honea asked if there were any protestors. There were no audience members.

Motion by Randy Cherry to approve BOA 710, as recommended by Staff. The motion was seconded by Dick Baze.

Yes: Cherry, Evetts, Baze, Crotchett, Archer

No: None

Motion approved

5. Discussion

None.

6. REMARKS, INQUIRIES AND COMMENTS BY BOARD MEMBERS AND STAFF (NO ACTION)

Farhad Daroga informed the Board that effective 7/1/14, a new fee schedule went into effect.

8. ADJOURNMENT

Motion at 5:44 p.m. by Randy Cherry to adjourn. The motion was seconded by Stan Evetts.

Yes: Cherry, Evetts, Baze, Crotchett, Honea

No: None

Motion approved.